

REMARKS

Claims 1-141 were filed in the application. Claims 2-4, 6, 29, 41, 48, 49 and 59-141 are cancelled. Claims 1 and 5 are currently amended. Claims 17, 57 and 58 were previously presented. Claims 7-16, 18-27, 30-40, 42-46 and 50-56 remain as originally filed. Therefore, claims 1, 5, 7-28, 30-40, 42-47, and 50-58 are submitted for examination.

Claim Rejections – 35 USC § 103

Claims 1-5, 7-19, 30-38, 47, 50-53 and 57-58 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable by Mathies in view of Herst.

Claims 6, 20-28, 54 and 55 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable by Mathies in view of Herst and in further view of Parce.

Claims 39-40 and 42-44 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable by Mathies in view of Herst and in further view of Chen.

Claim 1 has been amended to more clearly define the microfluidic flow cell as described and illustrated in the disclosure with an elongated body defining opposite front and rear ends and opposite lateral sides. As such, the reaction portion is formed at least near the the front end of the of this elonnaged body. Furthermore, there are at least two fluid-receiving portions positioned at least near the rear end and a common channel positioned generally centrally of the elongated body and in fluid communication with the reaction chamber. More over, the elongated body includes at least two separate conduits in fluid communication this common channel and extending from the common

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Claims 1-141 were filed in the application. Claims 2-4, 6, 29, 41, 48, 49 and 59-141 are cancelled. Claims 1 and 5 are currently amended. The amendments to the claims are fully supported by the original disclosure and therefore no new matter has been added. Claims 17, 57 and 58 were previously presented. Claims 7-16, 18-27, 30-40, 42-46 and 50-56 remain as originally filed. Therefore, claims 1, 5, 7-28, 30-40, 42-47, and 50-58 are submitted for examination. The amendments to the claims can be viewed in the Amendments section in the Listing of claims beginning on page 2 of this paper.

Claim Rejections – 35 USC § 103

Claims 1-5, 7-19, 30-38, 47, 50-53 and 57-58 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable by Mathies in view of Herst.

Claims 6, 20-28, 54 and 55 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable by Mathies in view of Herst and in further view of Parce.

Claims 39-40 and 42-44 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable by Mathies in view of Herst and in further view of Chen.

Claim 1 has been amended to more clearly define the microfluidic flow cell as described and illustrated in the disclosure with an elongated body defining opposite front and rear ends and opposite lateral sides. As such, the reaction portion is formed at least near the front end of the elongated body. Furthermore, there are at least two fluid-receiving portions positioned at least near the rear end and a common channel

positioned generally centrally of the elongated body and in fluid communication with the reaction chamber. Moreover, the elongated body includes at least two separate conduits in fluid communication with this common channel and extending from the common channel towards respective opposite lateral sides. Finally, each of these separate conduits is in fluid communication with a respective fluid-receiving portion.

The foregoing amendment is fully supported by the disclosure as filed, for example in Figures 1, 2, 3 and 5 and former claims 2, 3, 4 and 6. The terms "front" and "rear" are of course defined by the movement of the reagents within the flow cell.

Applicant respectfully contends that the above structure is not taught in any of the above cited art whether taken separately or together. More particularly, the cited art does not teach a microfluidic flow cell having an elongated body with generally central common channel in communication with a reaction portion that forms a reaction chamber with a removable member and having at least two separate conduits extending therefrom towards each lateral side of the elongated body to be in fluid communication with respective fluid receiving portions positioned near the rear end of the elongated body.

As such, claim 1 is believed to be patentable over the cited art.

As all the remaining pending claims are ultimately dependent on claim 1, and thereby include all the limitations of this claims, it is also believed that claims 5, 7-28, 30-40, 42-47, and 50-58 are also patentable over the cited art.

Conclusion

For the reasons set forth above, the Applicant respectfully submits that the claims now pending in this Application are in condition for allowance having overcome the outstanding rejections. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and earnestly solicits an indication of allowable subject matter. Should the Examiner have any remaining questions or concerns, the Examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,

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